

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<i>In re:</i>	:	Case No. 14-58250
	:	Chapter 7
<b>Nick Glassburn,</b>	:	
	:	Judge C. Kathryn Preston
<i>Debtor.</i>	:	

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<b>Larry J. McClatchey, Trustee</b>	:	
	:	Adv. Pro. No: 15-02087
<i>Plaintiff,</i>	:	
	:	
vs.	:	
	:	
<b>U.S. Bank National Association</b>	:	
	:	
<i>Defendant.</i>	:	

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**AMENDED JOINT STIPULATION OF SETTLEMENT**

Plaintiff Larry J. McClatchey, Trustee (“Trustee”), and Defendant NationStar Mortgage LLC, Attorney-in-Fact for Defendant U.S. Bank National Association, by and through undersigned counsel, hereby jointly stipulate and agree that this matter should be and hereby is settled on the following terms and conditions, subject to Court approval after notice and a hearing on a settlement of the above-captioned adversary:

1. Trustee shall pay \$50,000 (“Settlement Proceeds”) to NationStar Mortgage LLC (“NationStar”), Attorney-in-Fact for Defendant U.S. Bank National Association (“U.S. Bank”), seven (7) business days after the later of the Court’s order approving a compromise between Trustee and NationStar and entry of an Agreed Final Judgment in this adversary in the form of attached Exhibit A.
2. Upon payment of the Settlement Proceeds, Trustee and the bankruptcy estate of Nick Glassburn (“Estate”), shall release any and all claims and causes of action including without limitation any preference or avoidance actions that the Trustee and the Estate have, may have, or had in connection with this bankruptcy case, against U.S. Bank and NationStar, and their respective officers, directors, shareholders, members, employees, managers, partners (general and limited), subsidiaries, parents, affiliates, divisions, co-

venturers, principals, attorneys, representatives, agents, accountants, professionals, servants, heirs, predecessors, successors and assigns. Subject to collection of the Settlement Proceeds, NationStar and U.S. Bank shall release any and all claims in connection with this bankruptcy case either of them has against the Trustee and/or the Estate, including, but not limited to, any claims under 11 U.S.C. §502(h) and any claims based on that certain promissory note dated June 30, 2005 and executed by Debtor Nick Glassburn and the mortgage of the same date executed by Debtor Nick Glassburn securing the promissory note.

3. U.S. Bank and NationStar preserve and do not waive any and all claims, causes of action, and rights of recovery against any title company pursuant to any applicable title insurance policy. NationStar preserves and does not waive any claims, causes of action and rights to recovery against U.S. Bank under any existing indemnity.
4. Each party shall bear its own costs and attorneys' fees incurred in this case.
5. If the Court denies approval of the motion to compromise referenced in paragraph 1 above, this Amended Joint Stipulation of Settlement shall be null and void.

Agreed to by:

/s/ Nancy Ashbrook Willis

Nancy Ashbrook Willis (034117)  
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*Attorney for Trustee*

/s/Sherri Blank Lazear (per email  
authorization 11/2/2015)

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*Attorneys for NationStar Mortgage LLC,  
Attorney-in-Fact for Defendant  
U.S. Bank National Association*

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing *Amended Joint Stipulation of Settlement* was served upon the following by first class U.S. Mail, postage prepaid, and/or electronically by CM/ECF service upon those registered to receive such service with the Court this 3<sup>rd</sup> day of November 2015:

#### **VIA ECF:**

Nancy Ashbrook Willis

Sherri Lazear

/s/Nancy Ashbrook Willis  
Nancy Ashbrook Willis